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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/619,003	07/15/2003	Toshinori Goto	OKI 278 C1	6045
23995	7590	02/15/2005	EXAMINER	
RABIN & Berdo, PC 1101 14TH STREET, NW SUITE 500 WASHINGTON, DC 20005				COLEMAN, WILLIAM D
ART UNIT		PAPER NUMBER		
		2823		

DATE MAILED: 02/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

A1

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/619,003	GOTO, TOSHINORI
	Examiner	Art Unit
	W. David Coleman	2823

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 21 January 2005.
- 2a) This action is FINAL.                  2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 11-24 is/are pending in the application.
- 4a) Of the above claim(s) 11-17 is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 18-24 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. 09/939,801.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |                                                                                                                        |                                                                             |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                            | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | Paper No(s)/Mail Date. _____                                                |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|                                                                                                                        | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### *Election/Restrictions*

1. Applicant's election without traverse of Embodiment 2, claims 18-24 in the reply filed on January 21, 2005 is acknowledged.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

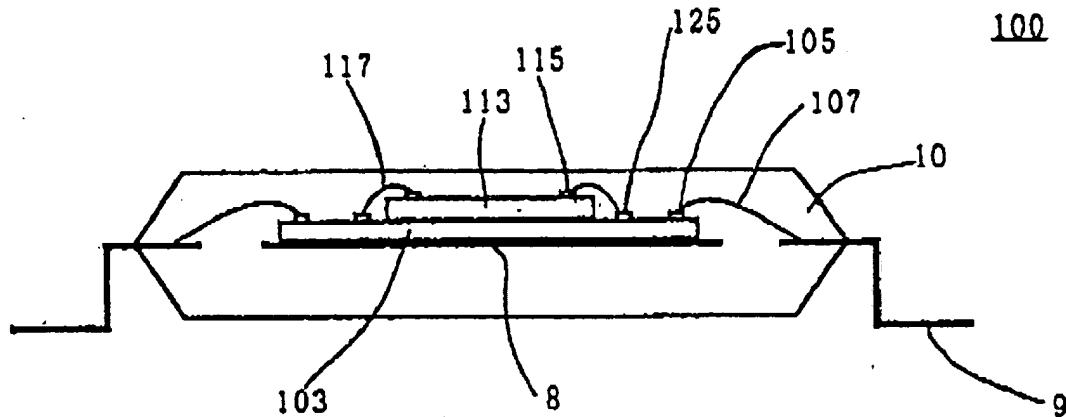
A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

(f) he did not himself invent the subject matter sought to be patented.

3. Claims 18-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Ohi, U.S. Patent 6,580,164 B1.

4. Ohi discloses a semiconductor process as claimed. Please see FIGS. 1-9, where Ohi teaches the claimed limitations.



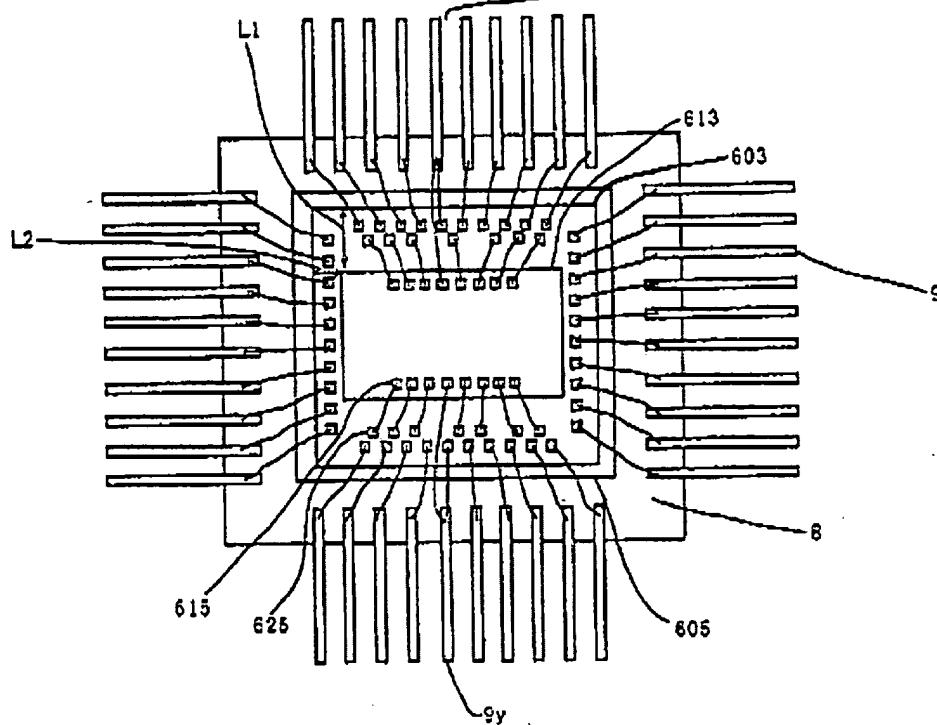
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5. Pertaining to claim 18, Ohie teaches a method of manufacturing a semiconductor device having first and second semiconductor chips, comprising:

preparing the first and second semiconductor chips, the first semiconductor chip **103** having a first area which is free of the formation of elements which generate heat when in operation, and a second area which surrounds the first area; and

mounting the second semiconductor chip on the first semiconductor chip so as to arrange the second semiconductor chip **113** just above the first area of the first semiconductor chip.

**FIG. 14**



6. Pertaining to claim 19, Ohie teaches the method according to claim 18, wherein a microcontroller used as a mask ROM **203** is formed on the first area, and said second semiconductor chip serves a function of a flash memory **213**.

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7. Pertaining to claim 20, Ohie teaches the method according to claim 18, wherein the semiconductor substrate area is an approximately central area of the first semiconductor chip.

8. Pertaining to claim 21, Ohie teaches the method of claim 18, wherein the semiconductor substrate area is larger than the area of the second semiconductor chip.

9. Pertaining to claim 22, Ohie teaches the method of claim 18, wherein the first semiconductor chip **103** has at least one first electrode **105** formed on the periphery of the first area, at least one second electrode **125** formed on the periphery of the second area, and a plurality of leads **107** disposed around said first semiconductor chip; the second semiconductor chip **113** has at least one third electrode **115** formed thereon; and the method further comprises:

connecting the first electrode of said first semiconductor chip and the third electrode of said second semiconductor chip with at least one first metal wire; and

connecting said second electrode of said first semiconductor chip and said leads with at least one second metal wire.

10. Pertaining to claim 23, Ohie teaches the method according to claim 22, wherein said third electrode of said second semiconductor chip is electrically connected to said second electrode of said first semiconductor chip through a transistor formed within the second area of said first semiconductor chip.

11. Pertaining to claim 24, Ohie teaches the method according to claim 18, further comprising:

sealing said first and second semiconductor chips, said first and second metal wires and some of said leads with an encapsulating resin.

***Drawings***

12. Figure 4 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Specification***

13. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

***Conclusion***

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to W. David Coleman whose telephone number is 571-272-1856. The examiner can normally be reached on Monday-Friday 9:00 AM-5:30 PM.

15. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Olik Chaudhuri can be reached on 571-272-1855. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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16. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



W. David Coleman  
Primary Examiner  
Art Unit 2823

WDC